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Attorney for Plaintiff
ALISA PETROV

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALISA PETROV,

Case No.: 4:14-cv-04542-DMR

Plaintiff,

STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, and
DOES 1-100, Inclusive.

Defendants.

TO THE HONORABLE COURT, ALL PARTIES HEREIN AND THEIR RESPECTIVE
COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiff Alisa Petrov and Defendant The United States Department of Health and Human Services hereby stipulate as follows:

1. On October 10, 2014 a Complaint was filed on behalf of Arden Johnson Petrov with respect to a medical negligence action. Arden Johnson Petrov passed away on February 20, 2015 and a First Amended Complaint was filed by Plaintiff Alisa Petrov for a wrongful death cause of action.

2. On May 8, 2015, Defendant filed a Motion to Dismiss.

3. Plaintiff Alisa Petrov has filed a Federal tort claim on April 15, 2015 and said claim has not been denied.

4. Plaintiff Alisa Petrov is dismissing this action pending a decision with respect to her tort claim filed April 15, 2015 and will re-file the complaint against Defendant if her claim is denied.

5. This court should dismiss the above-captioned action against Defendant without prejudice.

6. All upcoming hearings and deadlines are hereby vacated.

Respectfully submitted,

Dated: June 1, 2015

MELINDA HAAG
United States Attorney

/s/ Robin M. Wall
ROBIN M. WALL
Assistant United States Attorney
Attorney for Defendant

Dated: June 1, 2015

LAW OFFICES OF ROBERT G. SCHOCK

/s/ Robert E. Schock
Attorney for Plaintiff

[PROPOSED] ORDER

Pursuant to the Stipulation of the Parties, IT IS SO ORDERED. The Clerk is directed to close this case.

Dated: _____, 2015

**Hon. Donna M. Ryu
United States Magistrate Judge**